



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,278	06/15/2005	Benoit Coenraets	COENRAETS10	7553
1444	7590	11/15/2006	EXAMINER	
BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303			PUROL, DAVID M	
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/510,278	COENRAETS, BENOIT	
	Examiner	Art Unit	
	David M. Purol	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10062004</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3634

1. The preliminary amendment filed on August 31, 2005 has been entered.
2. The specification is objected to because of it does not use headings to denote each respective section.

The following guidelines illustrate the layout for the specification of a utility application. These guidelines are for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application includes the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" may follow the section heading or that section may be omitted:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Correction is required.

Art Unit: 3634

3. The abstract of the disclosure is objected to because the last line recites "Figure 3" which is improper. Correction is required. See MPEP § 608.01(b).

4. Claims 1-17 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

It is not known if the applicant is claiming the set of doors per se or in combination with the wall. While claim 1, lines 1-2 recite "Set of doors for closing off a bay (3) in a wall (4)" and thereby sets forth that the claims are drawn to the set of doors per se, line 7 define the slit as being between the second door and the wall and lines 10-11 sets forth that the flexible door is between the second door and the wall each of which can only be an accurate recitation if the wall is a positively element. Similarly, the dependent claims make reference to the wall as if it is a positively claimed element (note claim 2, line 4; claim 3, lines 6-7; claim 4, lines 6-7; claim 6, lines 3-4; etc...). Likewise, claims 15-17 suffer from the above noted defect. Elements of an invention to which it is necessary to refer in order to define other elements of the invention are to be positively included in the claims.

These claims are narrative in form replete with functional or operational language and further contain numerous grammatical/idiomatic errors which prohibits the understanding of the claims. For example: claim 1, line 1 "Set of doors", line 4 "being possible to impart", line 5 "to each of these doors", line 7 "being arranged so as to create", line 8 "of this", line 10 "being arranged at least partially", line 11 "it being possible to displace this", line 14 "in that, if said", line 15 "whilst said", line 16 "the latter


Art Unit: 3634

is supported"; claim 2, line 2 "in that if said", line 3 "whilst said", line 4 "the latter is in contact", line 5 "this wall", line 6 "on the one hand", line 7 "on the other, in order to", line 8 "thus form said"; claim 3, line 2 "is provided with a", line 4 "which, when the", line 5 "between this door", line 6 "located above the bay", line 7 "this wall (4) and this door (1)"; claim 4, line 2 "in that it has a", line 4 "when the latter is in", line 5 "extends between this door", line 7 "and this"; claim 6, line 3 "made from an", line 3 "which is", line 5 "when the latter is in", line 5 "whilst"; claim 7, line 5 "supported during its", line 6 "provided on", line 7 "and/or on"; claim 8, line 3 "is provided with", line 3 "enabling the", line 4 "to slide on this"; claim 9, lines 2-3 "in that the wall (4) above the bay (3) is provided with", line 3 "enabling the"; claim 10, line 3 "the axis of which"; claim 11, lines 3-4 "the side edges (7,8) of which"; claim 12, lines 3-4 "or at the side of the latter opposing that directed towards"; claim 13, line 3 "and/or pivotably mounted relative to". Likewise, claims 15-17 suffer from the above noted defects.

The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device

5. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Buono et al, Kempinski, Keller et al, Bleichwehl et al, Plfeger, Vaske, Smidt, Esparza.

6. Any inquiry concerning this communication should be directed to David M. Purol at telephone number (571) 272-6833.


David M Purol
Primary Examiner
Art Unit 3634

DMP
(571) 272-6833
November 13, 2006